

Honolulu, Hawaii

APR 02 , 2026

RE: H.C.R. No. 178
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Water & Land, to which was referred H.C.R. No. 178 entitled:

"HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PRIORITIZE ISSUING A WATER SET-ASIDE TO THE COUNTY OF MAUI THROUGH AN EXECUTIVE ORDER BY THE GOVERNOR TO SUPPORT THE MANAGEMENT OF PUBLIC TRUST WATER RESOURCES IN EAST MAUI,"

begs leave to report as follows:

The purpose of this measure is to urge the Department of Land and Natural Resources to prioritize issuing a water set-aside to the County of Maui through an Executive Order by the Governor to support the management of public trust water resources in East Maui, specifically the Nahiku, Ke'anae, Honomanū, and Huelo State License Area.

Your Committee received testimony in support of this measure from the East Maui Water Authority Board; Nation of Hawai'i; and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the demand for water in the County of Maui continues to increase due to population growth, the need



to enhance agricultural production to improve food security, worsening drought conditions, and other environmental factors. This increasing demand requires long-term, efficient, transparent, equitable, and community-oriented management of watersheds and water resources. East Maui is currently experiencing historic drought conditions that have significantly reduced stream water availability for all users. Your Committee further finds that the State is obligated to uphold the public trust doctrine and it is in the best interest of the State, the County of Maui, and the residents of both jurisdictions for the Department of Land and Natural Resources to issue a set-aside to the County of Maui through an Executive Order by the Governor.

Your Committee has amended this measure by:

- (1) Amending provisions relating to the enumeration of specific public trust uses of water;
- (2) Clarifying that the set-aside to be issued to the County of Maui through an Executive Order by the Governor should not be limited only to water;
- (3) Amending its title in accordance with its amended purpose; and
- (4) Making a technical, nonsubstantive amendment for the purpose of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 178, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 178, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,

for 
MARK J. HASHEM, Chair



